

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
Eastern Division

EDWARD WIEGAND and EUGENIA SPRICH, )  
TRUSTEES OF THE HERBERT C. )  
WIEGAND REVOCABLE TRUST, )

Plaintiffs, )

vs. )

NEW YORK LIFE INSURANCE )  
& ANNUITY CORPORATION and NEW YORK )  
LIFE INSURANCE COMPANY, )

Defendants. )

No.4:22-cv-00188-HEA

Jury Trial Demanded

**DEFENDANTS' EXHIBIT LIST**

COME NOW Defendants, NEW YORK LIFE INSURANCE & ANNUITY CORPORATION and NEW YORK LIFE INSURANCE COMPANY (combined as "New York Life" or Defendants), by and through their attorneys, and for their Exhibit List, state as follows:

Pursuant to the Court's Fifth Amended Case Management Order, Defendants offer the following exhibits. Where applicable, the exhibits' bates stamps are provided. Exhibits that will be introduced into evidence are **bolded**. Exhibits that may be introduced into evidence are *italicized*.

EXHIBIT	DESCRIPTION	BATES STAMP
<b>A</b>	<b>8/29/2000 letter from New York Life to Herbert Wiegand</b>	<b>NYL 615</b>
<b>B</b>	<b>7/22/2003 letter from Joann Dyroff to Vance Financial</b>	<b>NYL 386-395</b>
<b>C</b>	<b>8/19/2003 letter from New York Life to Wiegand Family LLC</b>	<b>NYL 616</b>
<b>D</b>	<b>12/15/2003 Service Form - Change Requests</b>	<b>NYL 367-68</b>
<b>E</b>	<b>1/12/2004 Dyroff letter to Vance</b>	<b>DRYOFF 502-04</b>

<b>F</b>	<b>2/4/2004 Policy reissued and provided to Dyroff by New York Life</b>	<b>DRYOFF 121-47</b>
<b>G</b>	<b>2/17/2004 fax from Dyroff to Vance</b>	<b>DRYOFF 92-95</b>
<b>H</b>	<b>6/24/2004 fax from Vance to Dyroff</b>	<b>DRYOFF 83-84</b>
<i>I</i>	<i>4/7/2009 letter from New York Life to the trust re: Robert Barr Jr. was no longer associated with New York Life</i>	<i>NYL 785</i>
<i>J</i>	<i>6/9/2009 letter from New York Life to the trust re: Clinton Vance was no longer associated with New York Life</i>	<i>NYL 786</i>
<i>K</i>	<i>6/3/2011 envelope returned to sender</i>	<i>NYL 29-30</i>
<b>L</b>	<b>6/3/2011 New York Life annual notice returned to sender</b>	<b>NYL 736-37</b>
<i>M</i>	<i>6/15/2011 New York Life work request</i>	<i>NYL 429-39</i>
<b>N</b>	<b>6/3/2016 New York Life annual notice archived but not mailed</b>	<b>NYL 464-66</b>
<b>O</b>	<b>6/13/2016 New York Life notice of lapse</b>	<b>NYL 883-84</b>
<b>P</b>	<b>6/23/2011 New York Life notice that prior mail was returned undeliverable</b>	<b>NYL 787</b>
<b>Q</b>	<b>7/13/2016 New York Life notice of lapse</b>	<b>NYL 885-86</b>
<b>R</b>	<b>8/15/2016 New York Life notice of expiration of coverage</b>	<b>NYL 887</b>
<b>S</b>	<b>10/21/2011 New York Life final letter</b>	<b>NYL 788</b>
<b>T</b>	<b>11/19/2020 Eugenia Sprich fax to New York Life</b>	<b>NYL 738-60</b>
<i>U</i>	<i>1/4/2021 New York Life internal emails (redacted)</i>	<i>NYL 912-13</i>
<i>V</i>	<i>1/12/2021 New York Life internal emails (redacted)</i>	<i>NYL 914-15</i>
<i>W</i>	<i>1/13/2021 New York Life internal emails (redacted)</i>	<i>NYL 414-17</i>
<i>X</i>	<i>1/13/2021 New York Life internal emails (redacted)</i>	<i>NYL 916-18</i>

Y	<i>1/13/2021 New York Life internal emails (redacted)</i>	NYL 919-20
Z	<i>New York Life internal analysis of claim (redacted)</i>	NYL 369
AA	<b>1/28/2021 New York Life customer copy of policy</b>	NYL 921-971
BB	<b>2/2/2021 New York Life correspondence to Sprich and attachments (redacted)</b>	NYL 789-881
CC	<b>New York Life annual policy summaries: 2001-2016</b>	NYL 470-541
DD	<b>12/10/2021 demand email from Plaintiff's counsel to New York Life (redacted)</b>	NYL 1-2
EE	<b>12/10/2021 demand letter from Plaintiff's counsel to New York Life (redacted)</b>	NYL 326-65
FF	<i>New York Life Miscellaneous Loss Form (redacted)</i>	NYL 417
GG	<b>12/27/2021 New York Life response to Plaintiff's demand letter (redacted)</b>	NYL 418-27
HH	<i>6/29/2016 New York Life records of correspondence with Robert C. Hall and Nancy Galloway</i>	NYL 888-911
II	<i>12/29/2020 policy premium history</i>	NYL 366
JJ	<i>6/28/2022 re-issued policy</i>	NYL 648-73
KK	<i>5/23/2001 First Amendment to the Amended and Restated Herbert C. Wiegand Revocable Trust</i>	DRYOFF 149-92
LL	<i>6/26/2002 McCarter asset list and tax calculation</i>	DRYOFF 882-889
MM	<b>7/30/2002 Policy illustration and key policy information from Vance to McCarter</b>	DRYOFF 66-74
NN	<i>12/8/2004 itemized categories: legal fees incurred by the trust</i>	DRYOFF 271
OO	<b>6/28/2000 Policy delivery receipt</b>	NYL 735
PP	<i>9/13/2002 Revised Herbert Wiegand asset list</i>	N/A
QQ	<i>Plaintiff's petition against New York Life with exhibits</i>	N/A
RR	<i>10/23/2002 Ed Wiegand termination letter to McCarter</i>	DRYOFF 898

<i>SS</i>	<i>2/4/2021-2/24/2021 emails between Sprich and Dyroff</i>	<i>N/A</i>
<i>TT</i>	<i>Plaintiffs' Rule 26(a) Disclosures (Section III: Computations of Damages)</i>	<i>N/A</i>
<i>UU</i>	<i>Plaintiffs' Answers to Interrogatories (4: damage computation)</i>	<i>N/A</i>
<i>VV</i>	<i>Plaintiffs' Responses to Requests for Production (16: documents supporting damages)</i>	<i>N/A</i>
<i>WW</i>	<i>Case timeline</i>	<i>N/A</i>

New York Life reserves the right to use any exhibit designated by Plaintiffs as an exhibits.

New York Life further reserves the right to use any document produced by any party in discovery for cross-examination.

Respectfully submitted,

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Company

**CERTIFICATE OF SERVICE**

The filing attorney certifies that on October 30, 2023, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic case filing system upon all participants in the Court's electronic case filing system.

/s/ James M. Brodzik